

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

PALANI KARUPAIYAN, *et al.*,

Plaintiffs,

v.

SHALIMAR GROUP OF
RESTAURANTS, *et al.*,

Defendants.

Civil Action No. 23-844 (SDW) (JBC)

WHEREAS OPINION

May 11, 2023

THIS MATTER having come before this Court upon *pro se* Plaintiff Palani Karupaiyan's ("Plaintiff") Motion for Reconsideration (D.E. 8) filed in connection with this Court's March 6, 2023 Whereas Opinion and Order *sua sponte* dismissing Plaintiff's Complaint with prejudice (D.E. 5, 6);

WHEREAS a party moving for reconsideration of an order of this Court must file its motion within fourteen (14) days after the entry of that order and set "forth concisely the matter or controlling decisions which the party believes the . . . Judge has overlooked." L. Civ. R. 7.1(i). Motions for reconsideration are "extremely limited procedural vehicle(s)" which are to be granted "very sparingly." *Clark v. Prudential Ins. Co. of Am.*, 940 F. Supp. 2d 186, 189 (D.N.J. 2013) (quotation marks omitted). They may only be granted if the moving party shows "(1) an intervening change in the controlling law; (2) the availability of new evidence that was not available when the court [reached its original decision]; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice." *Blystone v. Horn*, 664 F.3d 397, 415 (3d Cir. 2011) (quotation marks and italics omitted). They are "not a vehicle for a litigant to raise new

arguments.” *CPS MedManagement LLC v. Bergen Reg’l Med. Ctr., L.P.*, 940 F. Supp. 2d 141, 168 (D.N.J. 2013); and

WHEREAS Plaintiff’s Motion for Reconsideration must be denied because it fails to identify any intervening change in the relevant law, new evidence that was unavailable at the time this Court entered its order, or an error of fact or law that, if left uncorrected, would result in manifest injustice; therefore,

Plaintiff’s Motion for Reconsideration will be **DENIED**.¹ An appropriate order follows.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

Orig: Clerk
cc: James B. Clark, U.S.M.J.
Parties

¹ On May 9, 2023, Plaintiff filed a motion to amend his Notice of Appeal to the Third Circuit. (D.E. 15, 16.) Pursuant to Rule 4(a) of the Federal Rules of Appellate Procedure, Plaintiff is permitted to file an amended notice of appeal within 30 days after entry of the judgment on the present Motion for Reconsideration. Fed. R. App. P. 4(a).